REMARKS

Claims 1-34 are currently pending in the subject application and are presently under consideration. The specification has been amended to correct minor informalities, as indicated at pages 2-3 of this Reply.

Favorable consideration of the subject application is respectfully requested in view of the comments and amendments herein.

I.   Rejection of Claims 1, 2, 5-15 and 20-34 Under 35 U.S.C. §102(e)

Claims 1, 2, 5-15 and 20-34 stand rejected under 35 U.S.C. §102(e) as being anticipated by Bruno, *et al.* (US 6,604,123). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Bruno, *et al.* does not teach each and every element of the subject invention as recited in the subject claims.

> A single prior art reference anticipates a patent claim only if it expressly or inherently describes each and every limitation set forth in the patent claim. *Trintec Industries, Inc., v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 U.S.P.Q.2D 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject invention relates to providing secure communication of messages from a user-level application or process that has direct access to communication hardware components. The applicants' claimed invention can employ message keys and attributes to verify authenticity of message senders and recipients and secure the communications. In particular, independent claim 1 recites, *a communication component operative to store an outgoing message received directly from an associated process, the outgoing message including a message key having a key value, an attribute being associated with the communication component, the attribute having selectable attribute conditions that are inaccessible by the associated process; and a filter associated with the communication component, the filter controlling sending the stored outgoing message from the communication component based on the key value of the outgoing message and one of the attribute conditions.*

11

Bruno, *et al.* does not teach or suggest the aforementioned novel aspects of applicants' invention as recited in the subject claims. Bruno, *et al.* teaches a system for transferring control of threads between protection domains (client applications or servers) via a portal in a non-user level of the system. The cited reference teaches an identifier that is supplied to a first protection domain to verify access rights to a second protection domain. This is a single identifier used to verify access rights. However, contrary to assertions in the Office Action dated March 31, 2005, Bruno, *et al.* fails to disclose a message key **and** an attribute as recited in the subject claim. Applicants' claimed invention can employ a message key and an attribute for security. Moreover, the attribute is associated with a communication component and is not accessible to the user-level application. Bruno, *et al.* fails to teach or suggest an attribute that is associated with a communication component and is not accessible by the user-level application. Therefore, Bruno, *et al.* fails to teach or suggest a communication component operative to store an outgoing message received directly from an associated process, the outgoing message including *a message key having a key value, an attribute being associated with the communication component, the attribute having selectable attribute conditions that are inaccessible by the associated process*; and a filter associated with the communication component, the filter controlling sending the stored outgoing message from the communication component based on the key value of the outgoing message and one of the attribute conditions.

Furthermore, independent claim 12 (and similarly independent claim 30) recites *a first queue operative to store a request received directly from a first of the at least two processes and, upon validation of the stored request, to send the stored request to a second of the at least two processes, the stored request including a destination address and a key having a key value ... the at least one key value associated with the first queue being unavailable to the first process*. Bruno, *et al.* fails to teach or suggest a key that is used for validation that is unavailable to the first process. Bruno, *et al.* teaches an identifier that is sent from the first production domain to a portal manager to instantiate a portal from the first protection domain to the second protection domain. The identifier of Bruno, *et al.* is clearly available to the first protection domain, since the first protection domain is sending it to the portal manager. Therefore, Bruno, *et al.* fails to teach or suggest *the at least one key value associated with the first queue being unavailable to the first process*.

12

Moreover, independent claim 21 (and similarly independent claims 25, 28-29, and 34) recites *an attribute being associated with the storage device, the attribute having selectable attribute conditions being inaccessible by user-level processes; and control means for controlling sending of the stored outgoing message from the storage means based on the message key and one of the attribute conditions*. As discussed *supra* with respect to independent claim 12, Bruno, *et al.* teaches an access right validation identifier that is accessible by the user-level protection domain. Therefore, Bruno, *et al.* fails to teach or suggest *the attribute having selectable attribute conditions being inaccessible by user-level processes* as in the claimed invention.

Applicants' representative respectfully submits that Bruno, *et al* fails to teach or suggest all limitations of the subject invention as recited in independent claims 1, 12, 21, 25, 28-30 and 34 (and claims 2, 5-11, 13-15, 20, 22-24, 26-27, and 31-33 that depend there from), and thus fails to make obvious the claimed invention. This rejection should be withdrawn.

II.   Rejection of Claims 3, 4 and 16-19 Under 35 U.S.C. §103(a)

Claims 3, 4 and 16-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bruno, *et al.* in view of Neal, *et al.* (US 6,766,467). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Bruno, *et al.* in view of Neal, *et al.* fails to teach or suggest each and every limitation of applicant's claimed invention.

> To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

13

09/771,734   MS155740.01/MSFTP185US

The subject claims respectively depend from independent claims 1 and 12. As noted *supra*, Bruno *et al.* does not teach or suggest each and every element of the subject invention as recited in these independent claims, and Neal *et al.* fails to make up for the aforementioned deficiencies of Bruno *et al.* Neal, *et al.* teaches a system method for pausing a send queue without causing errors in other queues. Neal, *et al.* fails to teach or suggest any keys or attributes used for security of communications as recited in independent claims 1 and 12.

Accordingly, this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance, in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

A credit card payment form is filed concurrently herewith in connection with all fees due regarding this document. In the event any additional fees may be due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [MSFTP185US]

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

AMIN & TUROCY, LLP

Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731

14